

Office of the Commissioner of Securities and
Insurance, Montana State Auditor (CSI)
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Helena, MT 59601
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**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
MONTANA STATE AUDITOR**

)	
)	CASE NO. INS-2012-276
IN THE MATTER OF:)	
AMERICAN BUILDERS INSURANCE)	ORDER OF SUSPENSION
COMPANY RISK RETENTION GROUP, INC.,)	OF LICENSE
Montana certificate of authority # 5068.)	
)	
)	

Pursuant to Mont. Code Ann. § 33-28-109, the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), suspends the license of American Builders Insurance Company Risk Retention Group, Inc. (ABIC RRG), for the following reasons:

1. The State Auditor is the Commissioner of Securities and Insurance (Commissioner) pursuant to Mont. Code Ann. §§ 2-15-1901 and 2-15-1903.
2. The CSI is under the control and supervision of the Commissioner pursuant to Mont. Code Ann. §§ 2-15-1902 and 33-1-301.
3. The Commissioner shall administer the CSI to protect insurance consumers. Mont. Code Ann. § 33-1-311(3).

4. The Commissioner and the CSI have jurisdiction over this matter. Mont. Code Ann. § 33-1-311.

5. Pursuant to Mont. Code Ann. § 33-28-109(1)(b), a captive insurance company doing insurance business in Montana must meet and maintain the requirements of Mont. Code Ann. § 33-28-104. Pursuant to § 33-28-104(2), the Commissioner requires ABIC RRG to maintain \$750,000 in unimpaired minimum paid-in capital and surplus. As of September 30, 2012, ABIC RRG has not maintained unimpaired minimum paid-in capital and surplus of \$750,000.

6. Pursuant to Mont. Code Ann. § 33-28-109(2), the Commissioner may suspend a Montana certificate of authority if the CSI finds evidence that a company is not in compliance with Mont. Code Ann. § 33-28-109(1). Based on the foregoing, the Commissioner issues the following:

ORDER


ABIC RRG's Montana license, certificate of authority # 5068, is **SUSPENDED**, effective immediately, and ABIC RRG is prohibited from writing all new and renewal business, effective as of the date of this Order, until such time as this Order is rescinded or amended.

IT IS FURTHER ORDERED that ABIC RRG must submit to the CSI:

- a. evidence that paid-in capital and surplus exceeds \$750,000;
- b. a viable business plan; and
- c. updated financial projections which demonstrate ABIC RRG's ability to maintain unimpaired minimum paid-in capital and surplus in excess of \$750,000.

IT IS FURTHER ORDERED that this Order shall remain in effect until the CSI approves both the business plan and financial projections.

DATED this 20th day of November, 2012.



MONICA J. LINDEEN
Commissioner of Securities and Insurance,
Montana State Auditor

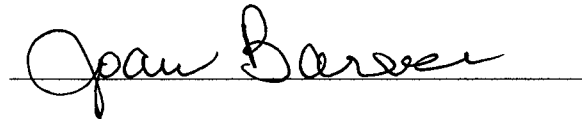
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 20th day of November, 2012, a true and correct copy of the foregoing was served upon the following by U.S. mail, certified, postage prepaid:

ABIC RRG
27 N. 27th St., Ste. 1900, Crowne Plaza
Billings, Montana 59101

Via Hand-delivery:

Jesse Laslovich
Office of the CSI

A handwritten signature in cursive script, appearing to read "Joan Barbee", is written over a horizontal line.